

COREY LOUIS HINES,)	
)	
Movant,)	
)	
v.)	No. 4:10CV282 HEA
)	
DAVID HAYES, et al.,)	
)	
Respondents.)	

This matter is before the Court on movant’s successive motion under 28 U.S.C. § 2255.¹ The motion is similar to the successive motions that movant previously brought in the cases *Hines v. Devore*, 4:09CV1236 HEA and *Hines v. USA*, 4:10CV41 HEA, and the Court will dismiss this action for the reasons set forth in those cases.

IT IS HEREBY ORDERED that movant's motion under 28 U.S.C. § 2255 is **DISMISSED**, without prejudice, for the reasons set forth in the cases *Hines v. Devore*, 4:09CV1236 HEA and *Hines v. USA*, 4:10CV41 HEA.

¹Although movant filed the motion as a petition under § 2241, the Court will construe it as a motion under § 2255 because the remedy under § 2255 is not inadequate or ineffective. *See United States v. Lurie*, 207 F.3d 1075, 1077 (8th Cir. 2000). A § 2255 motion is not inadequate merely because § 2255 relief has already been denied. *Id.*

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability.

An Order of Dismissal will accompany this Order.

Dated this 3rd day of March, 2010.

A handwritten signature in cursive script, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE